

Notice of Allowability

Application No.

10/500,436

Applicant(s)

KISO, TOSHIYA

Examiner

John M. Villecco

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

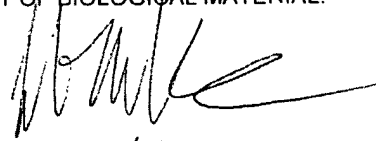
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed January 3, 2008.
2. ☒ The allowed claim(s) is/are 3, 4, 6, 8, 11, 12, 16 and 17 (renumbered claims 1-8).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.


2/11/08**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/3/08
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Comment

1. The information disclosure statement filed January 3rd, 2008 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). Furthermore, after a review of the IDS documents it appears that this IDS cannot be considered, as the mailing date of the Japanese action was November 8, 2005, which is more than three months from the time the IDS filed. Thus, applicant cannot make the 37 CFR 1.97(e) statement. It has been placed in the application file, but the information referred to therein has not been considered. However, as per MPEP § 609.05(b)(1)(A), applicant can file an RCE to have these documents considered.

Examiner's Statement of Reasons for Allowance

2. Claims 3, 4, 6, 8, 11, 12, 16, and 17 (renumbered claims 1-8) are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding claims 3, 11 and 16, the primary reason for allowance is that the prior art fails to teach or reasonably suggest an image designating unit or step for designating either of the first image data and the second image data, wherein the image-angle correcting unit or step corrects the tilt of the image data designated by the designating unit or step so that the direction of the designated image data coincides with that of the other image data.

As for claims 4, 12, and 17, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the image angle correcting unit or step corrects the tilt of either the first or second image data by an arbitrary angle.

With regard to claim 6, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that the first and second direction designating unit comprises a touch panel

and designates the direction using coordinates with respect to positions on the touch panel where a user touches.

Regarding claim 8, the primary reason for allowance is that the prior art fails to teach or reasonably suggest that wherein the first and second direction-designating unit comprise key buttons and designates a direction based on a direction of the depressed key button.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/500,436
Art Unit: 2622

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'John M. Villecco', with a long horizontal stroke extending to the right.

John M. Villecco
Primary Examiner, Art Unit 2622
January 14, 2008